



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2400337

Applicant Name: Arturo Gambarini

Address of Proposal: 1211 NW 77th St.

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into two parcels of land. Proposed parcel sizes are: 3,751 sq. ft. and 4,054 sq. ft. Existing structure to be removed under separate permit.

The following approval is required:

Short Subdivision - To subdivide one parcel into two.
(SMC Chapter [23.24](#))

BACKGROUND DATA

Zoning: SF5000

Date of Site Visit: NA

Uses on Site: Single Family Residential

Site and Vicinity Characteristics

The 7805 square foot site has a house, a detached garage, and other typical residential improvements. There is currently no demolition application for the house. The neighborhood is entirely zoned for and developed with single family residences. The street is fully improved.

Proposal:

The proposal is to plat the existing parcels into two lots. All existing structures would be demolished prior to redevelopment.

Public Comment

DPD received three letters from the public. Letters addressed the following issues:

- Inadequate of notice and time allowed for public comment,
- Inadequate project information available online;
- Lots appear to be too small for the neighborhood;
- Townhomes are out of context with the neighborhood;
- Concerns related to design of future homes;
- Concerns related to future adverse possession of a portion of the lot.

DPD has responded in writing to each letter, addressing the above concerns as they relate to DPD's review authority.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC [23.24.040](#), no short plat shall be approved unless all of the following facts and conditions (as applicable) are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided in Section [23.53.005](#);*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section [25.09.240](#), short subdivision and subdivisions in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees.*
7. *Conformance to the provisions of Section [23.24.045](#), unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing, and*
8. *Conformance to the provisions of Section [23.24.046](#), Multiple single-family dwelling units on a single-family lot, when the short subdivision is for the purpose of creating two or more lots from one lot with more than one existing single-family dwelling unit.*

Summary - Short Subdivision

Based on information provided by the applicant, referral comments as appropriate from DPD, Water (SPU), Fire Department (SFD), Seattle City Light, and review by the Land Use Planner, the applicable above cited criteria (#5, #7, and #8 do not apply) have been met subject to the conditions imposed at the end of this decision. This short subdivision will meet all minimum standards, including minimum lot size per the "75/80 rule", SMC [23.44.010 B1b](#), or applicable exceptions as set forth in the Land Use Code, and is consistent with applicable development standards. As conditioned, this short subdivision would be provided with vehicular access, public and private utilities and access (including emergency vehicles). Adequate provisions for drainage control, water supply and sanitary sewage disposal would be provided for each lot and service is assured, subject to standard conditions governing utility extensions. The proposal complies with the applicable regulations of SMC [25.09.240](#).

As conditioned, the proposed plat maximizes the retention of existing trees. The public use and interest are served by the proposal since all applicable criteria are met and the proposal creates the potential for additional housing opportunities in the City.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**. Applicant must meet all standard recording requirements and conditions and/or requirements as attached to approval cover letter.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall

1. Comply with all applicable standard recording requirements and instructions. Conditions of approval following recording shall be added to face of plat.
2. Include the following statement on the final recording document: "The existing structures shall be legally demolished or removed prior to separate sale of either Parcel A or B."
3. Update the survey to reflect the species of all existing trees on site.

Prior to issuance of any building permit

The owner(s) and/or responsible party(s) shall

4. Attach a copy of the recorded short subdivision to all permit application plans for any application for a permit to construct, demolish, or change use.

Signature: (signature on file) Date: July 5, 2004
Scott A. Ringgold, Land Use Planner
Department of Planning and Development